

REMARKS

The title of the application has been amended as suggested by the Examiner.

Claims 8, 9, 10, 33, 34 and 35 have been amended to recite functions of the claimed polypeptide as suggested by the Examiner. Support for the binding to an FGF receptor can be found at least at page 2, lines 14 to page 3, line 10 and page 28, lines 3-27. Support for the capacity to stimulate proliferation of mesenchymal stem cells or their precursors can be found at least on page 39, line 6 – page 40, line 10 where the specification describes many examples of cells involved and several methods to be used to measure the claimed proliferation. It is noted that myocytes of Examples 3, 4, and 5 and the osteoblasts of Example 7 are cells derived from mesenchymal stem cells or their precursors. Additional support for these amendments can be found at page 41, lines 5-15; page 42, lines 12-29; page 48, lines 26-32; and page 51, line 36- page 52, line 5.

I. Rejection under 35 U.S.C. § 112, first paragraph

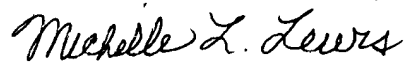
The claims have been rejected as insufficiently enabled and supported in terms of written description for the entire scope of the claim. Functions of the claimed polypeptides, as suggested by the Examiner, have been added to the independent claims in order to narrow the guidance necessary to those polypeptides that retain the recited characteristics of ZFGF5. Based on this additional limitation, the present specification provides sufficient teachings for one of ordinary skill to practice the entire scope of the presently claimed invention.

In addition, the Examiner is respectfully directed to the definition of “allelic variants” provided on page 10, line 33 – page 11, line 6. This definition provides a very determinant scope for the subsection (b) of the present independent claims, thus narrowing the enablement and written description needed to support this aspect of the claim to well within what is provided by the present specification. Especially in combination with the functional limitation, which provides a solid framework for the scope of the claimed genus of polypeptides, the teachings of the present specification allows one of ordinary skill to clearly understand the metes and bounds of the present claims.

As such, it is submitted that the present amendments overcomes each and every outstanding objection to the claims. Early reconsideration and allowance of the pending

claims is respectfully requested. If the Patent Examiner believes that a telephone interview would expedite prosecution of this patent application, please call the undersigned at (206) 442-6627.

Respectfully submitted,

A handwritten signature in cursive script that reads "Michelle L. Lewis".

Michelle L. Lewis

Reg. No. 36,352

Encs:
Petition and Fee for Extension of Time
Postcard